

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ZEMENCO, INC., a corporation,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Case No. 03-175 Erie
DEVELOPERS DIVERSIFIED	)	
REALTY CORPORATION, a	)	
corporation,	)	
	)	
Defendant.	)	

**ORDER OF COURT**

AND NOW, this \_\_\_\_ day of July, 2005, upon consideration of the Emergency Motion of Zemenco, Inc. to Compel Filing of a Concise Statement of Material Facts, it is hereby ORDERED ADJUDGED AND DECREED that:

The Motion is GRANTED, and Developers Diversified Realty Corporation is directed to file its Concise Statement of Material Facts within two days of the date of this Order and Zemenco, Inc. is to submit its Responsive Concise Statement no later than the fifth business day following the filing of Developers' statement.

Or alternatively;

The parties are not required to file a Concise Statement of Material Facts or a Responsive Concise Statement.

BY THE COURT:

\_\_\_\_\_, J.